



Department of Property & Procurement

Government of the United States Virgin Islands

3274 ESTATE RICHMOND, CHRISTIANSTED, U. S. VIRGIN ISLANDS 00820

8201 SUB BASE, SUITE 4, ST. THOMAS, U. S. VIRGIN ISLANDS 00802

ST. CROIX MAIN OFFICE: 340.773.1561 | ST. THOMAS MAIN OFFICE: 340.774.0828

ST. CROIX FAX: 340.773.0986 | ST. THOMAS FAX: 340.777.9587

[HTTP://DPP.VI.GOV](http://DPP.VI.GOV)



September 16, 2016

AMENDMENT #1 RFP-028-2016 – To Provide Third Party Fiduciary Oversight and Funds Management Services for the Virgin Islands Department of Education Grant(s) Funds

INSERT: *Questions and Answers*

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED

BIDDERS MUST ACKNOWLEDGE RECEIPT OF THIS AMENDMENT WITH THEIR BID PROPOSAL.

RFP#: 028-2016 Questions:

1. In section A – Notice of RFP document named “RFP-028-2016”, requests for clarification will be forwarded to Gustav James, Commissioner of Public Works? Is this person providing technical clarification on the RFP? **The reference to Gustav James is an error. It should state “All request will be forwarded to Derese Dunlop-Harley, Project Manager, Office of Management and Budget.”**
2. In section 1.7.1 – Guidelines of RFP document named “TPF RFP SOW final” what is the criterion or criteria for concurrence by the USED subsequent to selection by GVI? **Submitted to USED for response**
3. In the document named “RFP-028-2016” the # of copies of proposals to include with respondent package is seven (7). The document named “TPF RFP SOW final” states the # of copies of proposals to include is twelve (12) to include a CD-ROM copies as well. Which of these documents is the correct number of copies of proposals to include? **The accurate # of copies is in the document named “RFP-028-2016”**
4. In section 1.17 – Pre- Proposal Questions of RFP document named “TPF RFP SOW final” the allocated time in which the GVI provides responses to pre-proposal questions is five (5) days. Is it possible to have this response provided sooner in order to provide a more effective and meaningful proposal based on the clarifications?
5. Which proposal format between documents (RFP-028-2916 and TPF RFP SOW final) is more acceptable to GVI? **“RFP-028-2016”**
6. In section 3.7 – Systems Integration of RFP document named “TPF RFP SOW final”, this section describes a plan for transferring data from the existing Third Party Fiduciary Agent (TPFA) into GVI’s ERP system. Is this transfer post high-risk status or is there an intent to transfer data into GVI system at the end of the current TPFA. The special conditions are requesting that the TPFA maintains a credible system that is independent of the GVI’s ERP system. Please explain. **Currently, data from the Tyler MUNIS ERP utilized by the TPF is provided to the GVI by an agreed upon methodology. There is a system, that is maintained separate and apart, to process USED funds.**
7. In section 3.1.1 – Cost Proposal of RFP document named “TPF RFP SOW final” , the RFP alluded to a sample excel-based cost worksheet, but was not included. Are there any objections in utilizing the respondent’s own format? **No objection.**

1. In section 1.7.1 – Guidelines of RFP document named “TPF RFP SOW final” what is the criterion or criteria for concurrence by the USED subsequent to selection by GVI?

ED uses the same criteria that GVI uses, including but not limited to RFP Sections 1.5, 1.6, 1.7, ALL of RFP Part 3, the ED Departmental special conditions, and a review of the GVI evaluation summary report. Other items ED also reviews include, but again are not limited to:

- Reviewing any information that may be available to ED regarding the vendor, beyond that provided in their proposal.
- Identifying any possible conflicts of interest.
- Any other relevant information that may impact the vendor’s ability to perform the tasks required in the RFP.

RFP Reference	SOW Reference	Question	Answers
	1.4, pg. 7	What version of Tyler MUNIS is GVI currently using?	v9.4
	1.5, pg. 7	Please provide "Attachment A", the Special Conditions mentioned that outline the 'Responsibilities and requirements for the Third Party Fiduciary Agent'.	See attached
E., pg. 4	1.14, pg. 12	Please clarify the number and format of proposal copies required for submittal.	Seven (7) sets of proposals
	1.17, pg. 13	Can the Procurement Office please guarantee answers to bidder questions be circulated within two (2) business days (Monday, September 19 th) due to the short timeline for proposal submittal?	
J., pg. 6	3.1, pg. 18	The Contents of Proposal and the Detailed Submittal Requirements currently do not align. Please clarify what proposal contents are required and in what order.	As outline in SOW 3.1, pg. 18
	3.9, pg. 25	Please clarify if there is a change management requirement; if so what details are required for submittal?	N/A
J., pg. 6, number 5	3.10, pg. 26	In the RFP it states that Project References must be notarized, however this is not mentioned in the SOW nor is there a place for notarization on the Project Reference form (Attachment 1). Can the notarization requirement be removed from the RFP?	Please follow instructions under J, page 6

	3.11, pg. 26; Attachment 3	The cost proposal forms (Attachment 3 – Proposed Cost Schedule) are missing from the SOW; can the contracting office promptly provide these attachments?	N/A, please utilize your own format
	4.2, pg. 27	What are the titles or positions of the personnel that comprise the Evaluation Team?	N/A
Pg.2, Factors for Discussion	4.3, pg. 28	Please clarify the selection criteria, and weight (or order) of that criteria which will be utilized to evaluate the proposals.	N/A
M, pg. 7, number 3		Please confirm that a valid V.I. business license, public liability insurance, and Workers' Compensation Liability certificate do <u>not</u> have to be submitted with the proposal.	No, however in the event that the bidder is successful, various documents are required as stated in the RFP.
General		How much transition-in time is projected between the current contractor and the selected offeror?	None
General		Can the most recent Corrective Action Plan (CAP) status report be provided?	Yes
General		Can the Procurement Office confirm that GVI will provide accounts payable, receiving, and procurement resources to work with and for the TPFA?	There are GVI employees available to work with the TPFA and the TPFA is expected to build capacity with the employees to ensure adherence to the Special Conditions and various Federal mandates that govern the processes.
General		Will onsite office and conference room space be provided to the selected offeror?	The selected vendor will share space within the Office of Management and Budget

Attachment A

Responsibilities and Requirements for the Third Party Fiduciary Agent
(to be incorporated into any contract for services with the Agent)

The responsibilities and requirements for the Agent under these special conditions are as follows:

1. The Agent must work cooperatively and in a timely manner with the Virgin Islands, VIDE, VIDH, and VIDHS to implement the activities and responsibilities described in these special conditions. The Agent acknowledges that regular communication among the Virgin Islands, the Department, and the Agent is necessary to ensure proper financial management of grant funds, consistent with approved grant applications, budgets, and applicable program statutes, regulations and the cost principles in 2 CFR Part 200, Subpart E. Therefore, the Agent understands and agrees that, as the Department deems necessary and appropriate, the Department shall include the Agent in communications, both written and oral, between the Virgin Islands and the Department.
2. The Agent's role encompasses financial management responsibilities concerning the grants, including, but not limited to, processing payments and disbursements, maintaining financial records, financial reporting, instituting and applying procurement, inventory, and payroll procedures that comply with applicable Federal requirements, and other duties as more fully described below. In addition, with respect to the Consolidated Grant, the Agent agrees to provide assistance to VIDE as it prepares the budgets that accompany the annual Consolidated Grant application.
3. For purposes of the IDEA Part C FFY 2007 through 2016 grants, the Agent is responsible only for the property procurement and management functions that are required to be performed under the Uniform Guidance at 2 CFR Part 200 (including 2 CFR §§ 200.311, 200.313, 200.314, and 200.318-200.326) by VIDPP, and any financial management functions needed to be performed by VIDF for the IDEA Part C grants, and which are not being performed already under the contract between VIDH and LSS. Because VIDH's IDEA Part C grants for FFYs 2007 through 2016 include special conditions requiring the use of a third party fiduciary agent (LSS) that carries out VIDH's financial management and recordkeeping responsibilities in accordance with the applicable provisions of IDEA Part C and EDGAR, the Agent (BCA) performing services under these Department-wide special conditions is not required to assume responsibilities other than the responsibilities described above in this subsection. The Department's grant awards to VIDH under IDEA Part C for FFYs 2007 through 2016 include special conditions requiring VIDH to use LSS to ensure the continued fiscal accountability of IDEA Part C funds and the timely payment of early intervention service providers for the timely provision of IDEA Part C services to infants and toddlers with disabilities and their families. In addition, VIDH's

IDEA Part C grant funds may not be used to pay any costs charged by the Agent (BCA) to the Virgin Islands or VIDH under the contract between the Virgin Islands and the Agent (BCA).

4. The Virgin Islands, VIDE, or VIDHS, prior to any drawdowns or disbursements, must provide the Agent with a line item budget for the total amount of each grant and subgrant, if applicable, that has been approved and verified by the Department. The line item budget must include amounts for State administration, State-level program activities, and LEA program activities. For purposes of the Consolidated Grant, the Virgin Islands and VIDE must provide the Agent with line item budgets for each of the programs under which the Virgin Islands and VIDE will use Consolidated Grant funds. The line item budget for each of these programs must be based on the total amount of Consolidated Grant funds to be used for each program and include amounts for State administration, State-level program activities, and LEA program activities. The Agent must use these line item budgets to track projected and actual expenditures for the programs under the grants. The Agent must ensure that the expenditures proposed are only for allowable costs under each grant. The Agent will also receive from the Department copies of the applications, budgets, and budget narratives that the Department has approved for the Virgin Islands' grant awards to ensure that the Agent has these documents for purposes of executing its financial management responsibilities on behalf of the Virgin Islands under these grants.
5. The Agent must establish, maintain, and manage a separate bank account for all of the funds under the grants from the Department. The Agent must provide the Virgin Islands, VIDE, and VIDHS, as appropriate, with written notice (e.g., copy of invoice) of when funds are needed for a disbursement under a particular grant.
6. The Agent must acknowledge that the Virgin Islands, VIDE, and VIDHS have drawdown authority and that they understand and agree that they must draw down funds and provide any applicable matching funds to the Agent within 24 hours of receipt of the written notice from the Agent. Failure by the Virgin Islands, VIDE, or VIDHS to comply with this condition concerning the time within which they must draw down funds may result in the Department requiring the transfer of drawdown authority to the Agent for that entity. In the event of the Virgin Islands', VIDE's, or VIDHS' failure to draw down funds in accordance with this condition, the Agent must notify the Department, and the Department will determine whether drawdown authority must be transferred to the Agent. If so, then immediately upon written notice of this decision from the Department, the Virgin Islands, VIDE or VIDHS, as appropriate, must take all steps necessary to provide the Agent with full authority to perform drawdowns, including providing any information and authorization that the Department needs to recognize the Agent as the entity with drawdown authority.

7. The Agent must use fiscal control and accounting procedures that meet the requirements imposed on non-Federal entity grantees in accordance with 2 CFR §§ 200.302, 200.303, and 200.305(b).
8. The Agent must expend funds only for costs that are allowable under the respective grant programs, in accordance with 2 CFR Part 200, Subpart E. Additionally, for purposes of the Consolidated Grant, the Agent must expend funds only for allowable costs under, and included in, each Department-approved Consolidated Grant plan from FFYs 2007 through 2016. If the Agent questions whether an expenditure is allowable, the Agent must raise this question with the appropriate entity, the Virgin Islands, VIDE, or VIDHS. If the Agent deems it necessary, the Agent may also request assistance from the Department in determining the allowability of any expenditure.
9. The Agent must determine the value of any in-kind property or services donated to or provided by the Virgin Islands, VIDE, and VIDHS that are used to meet cost sharing or matching requirements as required by 2 CFR § 200.306 and must maintain records sufficient to document the bases for those valuations.
10. The Agent must take steps to prevent the lapsing of funds available under the grants, including ensuring timely disbursement of funds through the use of methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement of those funds as specified in the Virgin Islands' Treasury-State agreement, as required under the Cash Management Improvement Act and Treasury regulations at 31 CFR Part 205. For grant funds not included in the Virgin Islands' Treasury-State agreement, the Agent must meet the requirements in 2 CFR § 200.305(b). The Virgin Islands, VIDE, VIDHS, and the Agent must coordinate the timing of drawdowns and disbursements to ensure that payments to staff, vendors and providers are prompt and timely. To the greatest extent feasible, the Virgin Islands, VIDE, VIDHS, or the Agent, if it has undertaken drawdown responsibility, must draw down funds in a timely manner so that funds under the grants are deposited to the separate bank account maintained by the Agent on the same day that funds are drawn from the account to liquidate obligations under the grants. The Agent must ensure that any interest earned on grant funds not subject to the Treasury-State agreement is repaid annually, as required by 2 CFR § 200.305(b)(9).
11. The Agent must charge Department grants only for costs resulting from obligations that were properly made during the period of availability for the funds, including any carryover period. To ensure against the lapsing of Department funds, the Agent must liquidate obligations no later than 90 days after the end of the funding period or during any extension of that period authorized by the Department, in accordance with 2 CFR § 200.343(b).
12. The Agent may seek approval from the Department to charge allowable pre-award costs incurred by the Virgin Islands, VIDE, or VIDHS against any grant award from FFY 2007

through 2016 to which these special conditions apply. The Agent must submit any request for pre-award costs to the Department in writing and may not reimburse any pre-award costs unless it receives written approval from the Department.

13. The Agent must establish and maintain a process for tracking and reporting time and effort spent by all employees whose salaries are paid under ED grants, including distribution of time among different funding sources for split-time employees, and for properly allocating salary costs among ED grants, based on records that accurately and properly record the distribution of each employee's work on multiple cost objectives, the time the employee attends work, and, for those employees who work on a single cost objective, semiannual certifications. The Agent must carry out these responsibilities consistent with Federal requirements in 2 CFR Part 200, Subpart E, and more specifically, 2 CFR §§ 200.430 and 200.431.
14. In disbursing funds for allowable costs under the grants, the Agent must distinguish between direct and indirect costs and use accurate methods to allocate funds correctly between these two cost categories. The Agent must ensure that the charging of direct and indirect costs against the respective Department grants is consistent with the applicable restricted and unrestricted indirect cost rates negotiated with, and approved by, the U.S. Department of Interior (the Virgin Islands' cognizant Federal agency), and that copies of any indirect cost rate proposals or agreements comply with the applicable requirements of 2 CFR Part 200, Subpart E, and 34 CFR §§ 75.560-564 (discretionary grants) and 34 CFR §§ 76.560-569 (formula grants).
15. The Agent must establish contacts and working relationships with prospective vendors that can provide goods and services that the Virgin Islands, VIDE, and VIDHS need under the grants. The Virgin Islands, VIDE, and VIDHS must give the Agent authority to enter into contracts with vendors on behalf of the Virgin Islands, VIDE, VIDHS, and, as appropriate, VIDH, and in doing so, must comply with the provisions for procurement set forth in 2 CFR §§ 200.318-200.326.
16. Within 24 hours of the Agent's receipt of a vendor invoice, the Agent must provide a copy of the invoice to the Virgin Islands, VIDE, VIDHS, or, as appropriate, VIDH, and ensure that the goods or services delivered are available for inspection and acceptance or rejection by the appropriate Virgin Islands, VIDE, VIDHS, or, as appropriate, VIDH, staff requesting the goods or services. The Agent must pay vendors for the delivered goods or services and must, to the extent reasonably possible, disburse funds to the vendors on the same day that funds are deposited into the separate bank account(s) maintained by the Agent. The Agent must make payments by electronic funds transfer (EFT) or by paper draft only if EFT is not available or possible for a particular vendor.
17. The Agent must manage all tangible personal property procured under the grants, with a purchase price of \$500 or greater, in accordance with the requirements of 2 CFR §§ 200.313(a) and (c)-(e). In particular, the Agent must establish and maintain a process for

managing such property consistent with the requirements of 2 CFR § 200.313(d), including reconciling the inventory conducted by the Virgin Islands under Section II.A.18 of these special conditions with existing property records; developing a system for maintaining property records and for identifying property acquired with ED grant funds; and establishing a control system to prevent loss, damage, or theft of the property.

18. The Agent must maintain records that fully show the amount of funds made available under each of the grants; how the Virgin Islands, VIDE, or VIDHS uses the funds; the total cost of each project; the share of that cost provided from other sources; and other records to facilitate an effective audit, in accordance with 34 CFR § 75.730 (discretionary grants) and § 76.730 (formula grants). The Agent, acting on behalf of the Virgin Islands, VIDE and VIDHS, must retain records in accordance with the provisions of 2 CFR § 200.333.
19. In general, the Agent must use fiscal control and fund accounting procedures that ensure proper disbursement of, and accounting for, Federal funds, in accordance with 34 CFR § 75.702 (discretionary grants), § 76.702 (formula grants), and 2 CFR §§ 200.302, 200.303, and 200.305(b).
20. The Agent must maintain insurance as required under the terms of the contract.
21. All transactions under the contract between the Virgin Islands and the Agent must be consistent with all applicable Federal requirements, including the Uniform Guidance at 2 CFR Part 200 and EDGAR at 34 CFR Parts 75 or 76, as appropriate.
22. The Agent must comply generally with the requirements of 2 CFR § 200.327. More specifically, the Agent must produce quarterly reports concerning financial transactions of the Virgin Islands, VIDE, and VIDHS for submission to those entities and the Department, detailing for each grant awarded to the Virgin Islands, VIDE, and VIDHS, including for each individual program for which the Virgin Islands and VIDE are using Consolidated Grant funds: a) the date of receipt, and the amount, of each approved payment request; b) the date and amount of each draw down deposit; c) the date and amount of each payment or disbursement by the Agent; and d) any interest or other funds remaining in the account at the end of the quarter. These amounts must also be grouped by and comparable with the projections in the line item budgets described above in Section II.A.7 and must be reconciled with the Department's G5 system. This reconciliation must include drawdown dates, drawdown amounts and available balances, by award. These reports shall be due within 10 working days after the end of each quarter.
23. The Agent must work with the Virgin Islands, VIDE, VIDHS, VIDF, and VIDPP to assist in the training of employees and to provide transition assistance (including, but not limited to, transferring all necessary data from the Agent to the new CFMS,

communicating information from the Agent to the contractor implementing the new CFMS, and providing feedback to the Virgin Islands, VIDE, and the Department on the Virgin Islands' implementation of the new CFMS), as the Virgin Islands implements and transitions staff to the new CFMS.

24. The Agent recognizes that, except as noted herein, the Virgin Islands, VIDE, VIDH, and VIDHS must comply with all applicable provisions of EDGAR, and all actions that the Agent takes on their behalf in accordance with services provided under these special conditions, must be in compliance with all applicable provisions of EDGAR.